

REMARKS

Claims 1-41 are pending in this application.

Claim Rejections Under 35 USC §101

Claims 1-41 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In response, the applicant has amended claims 1-31 to call for a computer storage medium physically configured with computer executable instructions. A computer storage medium is a tangible result.

In addition, claims 32-41 have been amended to further clarify that the applications are computing device based methods. As a result, the computing device executes the method and the computing device is physically configured in accordance with the claim elements thereby creating a physical, tangible (and patentable) result.

The applicant believes the section 101 rejection has been addressed and that the rejection should be allowed.

Claims 1-31 were rejected under 35 U.S.C. 101 because it is directed to a software. In response, claims 1 -31 have been amended to call for a computer storage medium which is recognized as a tangible object that is patentable subject matter. Accordingly, the applicant believed the rejection has been addressed and should be removed.

Claim Rejections Under 35 USC §112

The specification was objected to under 35 U.S.C. 112, first paragraph, as failing to adequately teach how to make and/or use the invention.

The claims have been amended to further narrow and clarify the scope of the claims to be commensurate with the specification. The applicant understands and appreciates the effort to read the claims broadly, but the claims are written in a way to not only claim the function of the various functions, but the name of the specific call required to execute the function. In reality, the scope of the claim is extremely narrow. For example, claim 1 calls for a Cloud managed class, comprising a scope field, a ScopeID field, a state field, a CloudName field, and an IsCloudNameLocal field. The names of the fields (ScopeID, CloudName, IsCloudNameLocal) are elements of the claim. Creating a class is well known in computer science and creating a class with specific names is well known. Adding functions to class names is also well know. Accordingly, the application believes all the claims are specific enough to adequately teach how to make and use the invention and that the section 112 rejection should be removed.

Claims 1-31 were rejected under 35 U.S.C. 112, first paragraph, as failing to adequately teach how to make and/or use the invention.

In response, claims 1-31 have been amended to call for a computer storage medium that has specific elements rather than a computer science concept. Creating a computer storage medium that is physically configured with computer instructions is well known in the art. Accordingly, the applicant believes the section 112 rejection of claims 1-31 has been addressed and should be removed.

Claims 1-41 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, all the independent claims have been amended to further clarify the scope of the claims. Claims 1-31 have been amended to call for a computer storage medium that is physically configured according to the elements described in the claims. Applicant believes that the claims have been amended to make it clear what the applicant regards as the invention and that the section 112 rejection should be withdrawn.

Claim Rejections Under 35 USC §102

Claims 1-41 were rejected under 35 U.S.C. 102(e) as being anticipated by *Palba et al.* US Publication No. 2004/0062693 (“Pabla”).

Pabla describes a peer to peer management system. It describes the functions that would be required to create a peer management system and give some examples of calls that may be used to invoke the necessary functions. However, all the elements of the pending claims are not present in Pabla.

For example, in claim 1, specific fields with specific names are listed as being part of the claim. Specifically, claim 1 calls for fields with the name “ScopeID”, “CloudName” and “IsCloudNameLocal.” None of these specific names are in Pabla.

Claim 4 calls for a managed class named “CloudWatcher.” Such a specific managed class is not mentioned in Pabla.

Claim 10 calls for a managed class named “PnnpEndPoint” with a field named “PeerName” and another field named “IPEndPoint.” The specific managed class and the specifically named fields are not disclosed in Pabla.

Claim 14 calls for a managed class named “PnnpEndPointRegistraion” along with fields named “PeerName”, “Identity”, “RegistrationState” and a “SynchronizingObject” field. Neither the specific managed class of fields are disclosed in Pabla.

Claim 22 calls for a managed class named “PnnpEndPointResolver” along with fields named “PeerName”, “Cloud”, “MaxResults”, “ResolveCriteria”, “TimeSpan” and “SynchronizingObject” field. Neither the specific managed class name or the names of the fields are disclosed in Pabla.

Claim 32 calls for an object named “CloudWatcher”. There is no object named “CloudWatcher” disclosed in Pabla.

Claim 35 call for a managed framework named “PnnpEndPoint” along with a “PnnpEndPoint” object. Neither a framework named “PnnpEndPoint” or an object named “PnnpEndPoint” are disclosed in Pabla.

Claim 38 calls for an object name “PnnpEndPointResolver” along with several specific parameters named “PeerName”, “Cloud”, “MaxResults”, “TimeSpan” and a “ResolveCriteriaFlags.” Neither the object or the specific parameters are disclosed in Pabla.

Accordingly, all the independent claims call for objects, fields or parameters with very specific names. These specific names are not present in Pabla. The specific names are in the claims for a reason, specifically, to cover the newly invented and named functions for operating a peer to peer system.

The names of the objects, fields or parameters are significant as they reflect years of research and development into a operational, scalable and reliable peer to peer system. The arrangement and use of these very specific terms was designed to make the peer to peer

system intuitive and easy to use by someone working on the system for the first time. As a result, the specific names carry great importance and weight and are novel in peer to peer field in which they are claimed.

Accordingly, applicant believes the claims are not anticipated by Pabla and should be allowed.

CONCLUSION

In view of the above amendments and arguments, the Applicants submit the pending application is in condition for allowance and an early action so indicating is respectfully requested.

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Respectfully submitted,

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